

SPECIAL COMMISSION MEETING

DRAFT MINUTES

Tallahassee, Florida

April 24, 2003

JOINT CITY-COUNTY COMMISSION PUBLIC HEARING

Proposed Cycle 2003-2 Amendments To The 2010 Tallahassee-Leon County Comprehensive Plan

The City Commission met in special joint session with the Board of Leon County Commissioners (County Commission) on April 24, 2003, in the City Hall Commission Chamber with City Commissioners Marks, Katz, Mustian and Gillum, and County Commissioners Winchester, Sauls, Thaele, Rackleff, Proctor, and Grippa present. Also present were Assistant City Attorney Hurst and Assistant County Attorney Cherie Shaw.

Mayor Marks called the meeting to order at 6:15 p.m.

Chief of Comprehensive & Environmental Planning and Interim Planning Director Val Hubbard noted that the purpose of this meeting was take the first round of public comments before the Joint City-County Commission on the following Proposed Cycle 2003-2 Amendments to the Joint 2010 Tallahassee-Leon County Comprehensive Plan (Comp Plan):

SUMMARY CHART OF PROPOSED CYCLE 2003-2 COMPREHENSIVE PLAN AMENDMENTS					
<i>Item #</i>	<i>Amendment To</i>	<i>Nature of Proposed Amendment</i>	<i>Leon County School District Staff Comments</i>	<i>Planning Staff Recomm.</i>	<i>LPA Recomm.</i>
2003-2-M-001 (Miley Miers)	FUTURE LAND USE MAP (North side Mahan Drive, East of Hawk's Landing & West of Baum Road)	From: Rural To: Urban Fringe 301.00 Ac.	Moderate impact on schools. Area is zoned for Roberts Elementary, Swift Creek Middle, and Lincoln High Schools. Swift Creek is currently over capacity.	DENY	DENY
2003-2-M-002 (Brad Parker)	FUTURE LAND USE MAP (Northwest corner of Capital Circle NW & West Tharpe Street)	From: Industrial To: Mixed Use B 3.23 Ac.	No impact.	APPROVE	APPROVE

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2003-2-M-003 (Roland B. Woolsey)	FUTURE LAND USE MAP (West side of Meridian Road & South side of Gardner Road)	From: Rural To: Lake Protection 28.91 Ac.	Moderate impact on schools. Area is zoned for Hawks Rise Elementary, Deer Lake Middle, and Chiles High Schools. Deer Lake and Chiles are currently well over capacity.	APPROVE	DENY
2003-2-M-004 (Johnny and Kristina Petrandis)	FUTURE LAND USE MAP (South of Old St. Augustine Road & East of Calle de Santos)	From: Urban Fringe To: Mixed Use A 56.00 Ac.	Moderate to major impact on schools. Area is zoned for Chaires Elementary, Fairview Middle, and Rickards High Schools. Fairview Middle is currently over capacity.	DENY	DENY
2003-2-M-005 (J-H Investments, Inc.)	FUTURE LAND USE MAP (East of Woodville Highway & South of Natural Wells Drive, east of the power line easement)	From: Rural To: Woodville Rural Community 40.00 Ac.	Up to 320 dwelling units will have a major impact on schools. The area is zoned for Woodville Elementary, Nims Middle, and Rickards High Schools.	DENY	DENY
2003-2-M-006 (Centerville Properties, LTD)	FUTURE LAND USE MAP (West side of Centerville Road, North of Pisgah Church Road)	From: Rural To: Urban Fringe 592.00 Ac.	500 dwelling units will have a major impact on schools. Area is zoned for new Roberts Elementary, Deer Lake Middle, and Chiles High Schools. Deer Lake and Chiles are currently well over capacity.	DENY	APPROVE AS MODIFIED

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2003-2-T-007 (City of Tallahassee)	LAND USE NARRATIVE, LAND USE POLICIES 1.2.1 & 1.2.2, & CONSERVATION POLICIES 1.3.2, 1.3.5, & 1.3.8	Allows additional development on significant slopes and allows for off-site mitigation.	No comments submitted	Withdrawn by applicant on 03-28-03	
2003-2-T-008 (County Commission)	LAND USE ELEMENT Creates new LAND USE GOAL 14, and new supporting Objective and Policy	Provides that Leon County & City of Tallahassee will work together cooperatively to identify and address special needs of sub-areas in the City and County.	No comments submitted	APPROVE AS MODIFIED Revise date to 2004	Continued to 05-06-03
2003-2-T-009 (County Commission)	CONSERVATION ELEMENT	Changes the elevation of the Special Development Zone (SDZ) in the Fred George basin from 108 feet to 104 feet, thus shrinking the size of the SDZ.	No comments submitted	APPROVE	APPROVE

Ms. Hubbard reviewed the agenda and described the amendments approval process, with the following meetings scheduled:

May 12, 2003 at 2:00 p.m. in the City Commission Chamber
City Commission Workshop on the proposed amendments

May 13, 2003 at 2:30 p.m. in the County Commission Chamber
County Commission Workshop on the proposed amendments

May 29, 2003 at 2:00 p.m. in the City Commission Chamber
Joint City-County Commission Workshop on the proposed amendments

June 12, 2003 at 6:00 p.m. in the City Commission Chamber
Joint City-County Commission Public Hearing on the transmittal of the tentatively approved amendments for review by the Florida Department of Community Affairs (FDCA)

September 23, 2003 at 6:00 p.m. in the County Commission Chamber
Joint City-County Commission Public Hearing on the final adoption of the amendments

Ms. Hubbard reviewed the agenda materials and announced the process for citizen appearances before the Joint Commission. She requested that speakers attempt to limit their comments to no more than three minutes.

Planner Enid Ehrbar gave a brief summation of the proposed amendments as presented, and announced the speakers on the respective amendments.

Amendment 2003-2-M-001

Ms. Ehrbar announced Amendment 2003-2-M-001 as presented and recommended for denial by the staff. She advised that the applicant's intent was to develop single family detached residential upon approval of this amendment.

Planner Kristen Andersen gave a brief overview of the proposed amendment and, utilizing video graphics, depicted the location of the property out Highway 90. She advised the staff had recommended denial because there had been no analysis of the vacant land in the Urban Service Area (USA) and there had only been a cursory analysis of what was vacant in the Urban Fringe, and explained that the staff considered the application to be premature because the land analysis was not scheduled until the Evaluation and Appraisal Report (EAR), scheduled for 2004-2007. She advised there was an over-capacity school in the area, Swift Creek, and the staff's position was that the amendment would cause increased demand for certain services such as police and fire protection.

Mayor Marks requested clarification as to whether the application was premature or if the staff was unprepared to respond. Ms. Hubbard explained that it would be premature for the staff to provide a recommendation without performing the comprehensive analysis of land inside the USA.

Mayor Marks inquired as to how this affected the applicant and Ms. Hubbard clarified that the analysis that was needed from a planning perspective, including expanding the Urban Fringe Area, would require a more comprehensive study of the amount of remaining vacant land and the amount of demand, which could not be accomplished in one amendment cycle. She explained that the Commission could, therefore, make its decision based on other issues although that would not be the best planning process.

County Commission Chairman Grippa recalled this was not the first time application had been made for this amendment, and Ms. Hubbard advised that the evaluation that was needed would involve a major work effort of the Planning Department, which was not possible based on one amendment.

County Commission Chairman Grippa inquired if that analysis would apply to most of the amendments, noting that he could make an argument for delaying every amendment pending the EAR study, and he also recalled that approximately two years earlier the previous Planning Director had recommended against rezoning this land and giving it increased value because Blueprint 2000 planned to buy the land in order to protect the headquarters of the St. Marks River. He stated that he disliked "holding the applicant hostage" and opined that the Commissions were ready to address this amendment, while keeping in mind all of the other issues that were importing, i.e., the potential Blueprint 2000 purchase, protecting the environment and protecting the taxpayer.

County Commissioner Rackleff pointed out this property was almost three (3) miles from the existing USA boundary and he opined that taking piecemeal action on expanding the USA was in effect urban sprawl. He pointed out the applicant was already able to develop this property to sell expensive home sites.

City Commissioner Katz recalled that the applicant had withdrawn a similar amendment in a prior amendment cycle because there was a possibility that Blueprint 2000 would be able to buy the land. He opined that the property owners were entitled to a definitive decision.

City Commissioner Gillum referred to Item 1, page 2, No. 8 of the agenda material, indicating there was a planned and funded Blueprint 2000 project in this area to ensure flood plan protection, and suggested that someone address that, and he **suggested that a study was probably needed on whether there was enough land for development inside the USA.**

Mr. Nathaniel Wesley, 9511 Star View Lane, Hawks Landing, appeared before the Joint Commission and discussed his concern with the potential configuration of the new development on this parcel having vehicular access through Hawks Landing. He stated that he and his wife had been assured that the back road of Hawks Landing would not be extended.

Ms. Kathy Archibald, 7100 Roberts Road, representing the Ochlocknee River Soil & Water Conservation District, appeared before the Joint Commission and discussed their objections to this amendment taking more property out of the rural zoning category. She stated that there were no development pressures in the rural area for development of this type and in general rural lands afforded greater protection to the soil and water of Leon County than developed lands, and there was plenty of land within the Urban Fringe available for development without adding more. Ms. Archibald pointed out the last EAR report, begun in 1995 and completed in 1997, had identified 2 ½ times the land needed within the USA to sustain the population growth through the life of the current Comp Plan. She suggested looking at the land surrounding the amendment property and the fact that there was no development pressure to extend the USA; and she pointed out that one of the first tenants of the conservation subdivision concept was that the development should not necessitate a zoning or land use change and the development should be density neutral. She stated that any development on this property should be developed at a density of one unit per ten (10) acres, pursuant to the land's current designation, that is, with 30 home sites instead of the 150 home sites this land use change would allow, thereby increasing the cost of the land.

With regard to interest in acquiring this property as part of the conservation lands, Ms. Archibald advised there were dedicated funds through the sales tax proceeds for these types of purchases -- not specifically for this parcel of land. She stated that this parcel had not gone through the review process although she was aware that the Blueprint 2000 agency was attempting to set up criteria for sensitive lands prioritization in the subject area, but until that was done there should be no land purchases. Ms. Archibald quoted from conservation preservation subdivision designer Mr. Randall Arendt, in his critique of the local Comp Plan, "One of the greatest weaknesses of the existing regulations, for planned unit developments (PUDs), clustering and conservation subdivisions, is that the open space is not defined in this manner." She stated that this referred to the developable land, as part of the open space so that it, therefore, became a collection of whatever parts of the property had been proven difficult or challenging to develop.

Mr. Ed Deaton, 9601 Miccosukee Road #25, appeared before the Joint Commission in opposition to this amendment and discussed the public cost of urban sprawl, noting that numerous studies had shown that residential sprawling developments did not pay for themselves, as the taxes brought in were insufficient to cover the cost of providing services. He stated that this was a tax fairness issue as there was no transportation impact fee, no impact fee for the overburdened schools in the area, no impact fee for police and fire services in the area, and because there was no way to cover the public costs of the proposed subdivision at the proposed density and number of houses, any savings from having a conservation easement would be lost due to the cost of providing services. Mr. Deaton pointed out funds were dropping from the state and federal government, as evidenced by Blueprint 2000 providing a lot of local funding for roads that should be paid for by the state, and the need for that was triggered by a sprawling subdivision in the southeastern part of the County. He explained that the local residents were paying premium taxes because the local government had allowed too many of these sprawling subdivisions, and he emphasized there were no savings for allowing the proposed conservation subdivision to be considered as an offset to the cost to the public.

Mr. R. L. (Bob) Scanlon, Chairman of the Leon County Water Resources Citizens Advisory Committee, appeared before the Joint Commission in opposition to the proposed amendment, noting that this was the third submission of the proposed amendment and it had not been changed in any way since its first presentation. Utilizing video graphics, he depicted the surrounding land uses, noting the property to the left had been "grand fathered in" as urban fringe and was high ground, and Black Creek ran through the low ground of the 301 acres of the proposed amendment so that only 75 acres of the amendment was dry land and developable, yet the approval of this amendment would allow 150 residential houses with septic tanks, instead of the 30 allowed by the existing zoning, leading into Black Creek, noting that in a previous meeting Dr. Miers had presented a letter from the Health Department indicating that the 150 septic tanks would be legal if the property was rezoned to Urban Fringe.

Mr. Scanlon also pointed out the County Commission had previously authorized the Black Creek Restoration Project, which would remove an entire roadbed out of Black Creek upstream from the amendment property, and he opined that it would be senseless to spend the money to restore Black Creek by removing that roadbed yet allow 150 houses to be built a mile downstream in that watershed. He also pointed out the proposed up zoning of this land would increase the cost for purchase by Blueprint 2000.

Ms. Pamela Hall, 5051 Quail Valley Road, appeared before the Joint Commission in opposition to the amendment and endorsed the comments of the previous speakers. She opined that this map amendment contrasted with Amendment 2003-2-M-006, and she discussed the helpful design of a conservation subdivision, indicating it was more appropriate within the urban service areas and within the cityscape as opposed to the Urban Fringe and Rural areas. Ms. Hall pointed out the request for increased density was contradictory to a conservation subdivision because they were density neutral, and she stated that the purpose of a conservation subdivision was to lower the lot size while setting aside 50-75% of the developable land, not the wetlands that could not be built on in the floodplain anyway, and then allow the small lots to be placed on various places on the property so that the people living within and without the subdivision had view sheds, creating open spaces. She stated that the current regulations of the County in the conservation subdivision had almost no criteria for the open space, the open spaces were not required to be set aside in perpetuity, which was a mandatory component of the conservation subdivision design concept, and this City and County were not yet prepared to deal with the label of conservation subdivision, and she requested that the local government work on this useful design concept.

Ms. Linda Deaton, 9601 Miccosukee Road, appeared before the Joint Commission in opposition to this amendment and urged the preservation of the rural area around the County.

Dr. Miley Miers, owner/applicant, P. O. Box 12247 (32317), appeared before the Joint Commission in support of this amendment and, emphasizing his desire to preserve the land supporting Black Creek, stated that a conservation subdivision would leave the great majority of the property in its natural state in perpetuity, noting that he had been working with nationally known designer, Mr. Randall Arendt, had written a book on this design concept entitled, Rural by Design. He stated that in the previous amendment cycle, County Commissioner Grippa had made a motion, which was passed in a Joint Commission meeting, to purchase this property through Blueprint 2000 and he had been unable to confirm that sale/purchase although he was aware that since then Blueprint 2000 had purchased land from Hurley Booth. Dr. Miers advised that the septic tanks would be placed on the southernmost part of the property and they would be 1/3rd of a mile from Black Creek, which was no further from the creek than many homes in Miccosukee Coop.

Dr. Miers stated that the western boundary met Hawks Landing but there would be a buffer between the subdivisions and there would be no traffic through Hawks Landing from the proposed subdivision. He stated that rather than 150 residential housing units, there would be closer to 120 units and the land needed to preserve Black Creek would be donated if this amendment were approved. Dr. Miers also discussed the increasing difficulty of purchasing affordable suitable housing inside the USA

and reported on an agreement with Talquin Electric to install a water tower on the amendment property.

County Commissioner Rackleff questioned if there would be any financial hardship to developing the amendment property under existing development rules, and Dr. Miers replied in the affirmative, indicating he depended on the proposed development of this property to help with his retirement and stated that the rules governing the property had changed after he purchased the property.

County Commissioner Rackleff noted that the taxable value of 295 acres of the site was \$75,486 and \$14,042.92 had been paid in property taxes on the entire parcel, including the house. Brief discussion continued relative to the valuation of the property.

Dr. Miers described the desirable concept of living on a ½-hour lot with access to over 200 acres of natural environment.

County Commission Chairman Grippa confirmed with Dr. Miers that there were no plans for any cut throughs through Hawks Landing. He also confirmed with Dr. Miers his willingness to donate the area flowing into the headwaters of the St. Marks River in order to increase the density closer to the main thoroughfare.

County Commissioner Thaeli inquired as to how the proposed concept design to increase the density of this amendment property by 500% from the existing zoning correlated to the concept recommended by Mr. Arendt of no new net density on conservation subdivision properties. He also expressed the opinion that it was important to recognize that, as the land use regulators for the community, the City Commission and the County Commission had no obligation to provide or assist any property owner to get the maximum amount of money from their property, while they did have an obligation to allow a reasonable amount of return.

County Commissioner Sauls requested clarification of the proposed development not meeting the density neutral component of a conservation subdivision.

Mr. Rob Palmer, representing RPA Group, Inc., 909 East Park Avenue, appeared before the Joint Commission in support of this amendment and, utilizing a video graphic map of the area, depicted two-thirds of the amendment property being in the area that had been identified by Blueprint 2000 as land that would be desirable to acquire for protection. He stated that Dr. Miers had confirmed his interest in committing to ensuring that protection and he had counseled Dr. Miers to withdraw the amendment from the last cycle in order to find out more about the conservation subdivision concept. Mr. Palmer stated that he and Dr. Miers had subsequently engaged Mr. Arendt for this project to develop a scheme, and the issue of density was one that Mr. Arendt preferred to leave to local issue. He stated that the idea was to consider whether a public-private partnership could be formed to protect as much of the land as possible, including 25% or more of the uplands for conservation purposes, and still acquire a decent number of housing units that would financially allow that donation to occur; and he depicted a development scheme that was proposed to allow approximately 118 lots, upland building lands that would be set aside, how the property would be conditioned to deal with septic tank mandatory cleanup and other issues that could be addressed as the development moved forward.

Brief discussion focused a video graphic map showing the Residential Preservation (RP) overlay on the Rural land to the north of the USA, allowing only residential use.

Additional discussion focused on the depiction of land to the north of Dr. Miers' property allowing density of one unit per one acre, and the Urban Fringe area to the west of the Miers' property allowing density of one unit per three acres.

County Commissioner Proctor questioned if the purpose of the conservation subdivision category was to lower density, as stated by Ms. Hall. Ms. Hubbard advised that she had discussed this issue with Mr. Arendt who had indicated there could be other reasons for changing the zoning densities on a parcel but that was independent of the concept of conservation subdivision. She stated that the County Subdivision Regulations currently allowed up to 10% additional density using the conservation subdivision if more than 50% of the land was in permanent open space.

County Commissioner Proctor referenced City Commissioner Gillum's suggestion that a study might be needed in the USA, and **suggested that a matrix be created to reflect land that remained available for development.** He stated that he felt like Dr. Miers was being held hostage as there had been no follow up on the motion to purchase the property, and he opined that Dr. Miers should not be forced to bring his application back another year. County Commissioner Proctor **opined that there should be a category for Not Ready (NR) if the government was not ready to make a recommendation, as opposed to a recommendation of denial.** He expressed the desire to know when the staff would be ready to make a recommendation and stated that he also was interested in following up on Commissioner Gillum's recommendation.

Mayor Marks responded that no vote of the Commission was required to initiate that activity.

County Commissioner Rackleff asked the County staff if Dr. Miers had applied to develop his property under the existing rules. Director of Leon County Growth Management Gary Johnson replied in the negative and he confirmed there was nothing to prevent him from making such application.

County Commissioner Rackleff inquired as to the developer's response to the concerns that had been expressed relative to traffic impacts, school impacts, water quality impacts of septic tanks, etc. He recalled that 120 houses were projected to generate 250-300 more vehicles on Mahan Drive, an additional 100-150 school children, and the City's central sewer stopping approximately four miles west of the development; and he pointed out this issue was about preserving the USA, following the Comp Plan, and following through on the goal that 90% of population growth would occur within the USA for the foreseeable future.

Mr. Palmer responded that there was no traffic condition or concern, and they had looked seriously at the septic tank issue and had received some positive response in terms of the distances of the proposed lots from Black Creek. He stated that Dr. Miers also intended to place some conditions on the deeds such as mandatory septic tank cleanouts and mandatory hookup to central sewer when it became available with the subdivision designed to expedite that hookup and minimize the cost to the homeowners.

County Commissioner Sauls **requested that the staff bring back information on the conservation subdivision and if density neutral was a requirement or if there was flexibility.**

Mayor Marks **requested that the staff also bring back information on the possibility of following through on the suggestion made by City Commissioner Gillum as well as County Commissioner Proctor.**

Amendment 2003-2-M-002

Ms. Ehrbar announced Amendment 2003-2-M-002 as presented and recommended for approval by the staff. She stated that this amendment would allow General Commercial zoning at this intersection of Capital Circle Northwest and West Tharpe Street, and the staff's recommendation to approve was based on the close proximity of Work Force to the amendment area, the property meeting access location criteria and size requirements for the Village Center, and being consistent with previous action in the area on the Home Depot property.

Ms. Ehrbar announced that Mr. Eddie Bass, representing Poole Engineering, 2145 Delta Boulevard, Suite 100, had indicated his availability to answer questions in support of this amendment.

County Commission Chairman Grippa questioned the impact of this amendment on concurrency and whether the government planned to purchase any of this land that was proposed for up zoning. Ms. Ehrbar advised that it was hoped the owner would donate a 30-foot right-of-way needed by the Florida Department of Transportation (FDOT) and, additionally, there was a level of service (LOS) issue on this roadway. She stated that these issues would be dealt with when the applicant submitted the site plan, and she confirmed that more vehicular trips were projected for a commercial land use than for an industrial land use.

County Commission Chairman Grippa ascertained from Ms. Ehrbar that the land was probably worth more as commercial.

County Commissioner Winchester opined that steps should be taken to reserve the right-of-way on Capital Circle, noting that the Home Depot site plan had been approved and the subsequent purchase of right-of-way property from Home Depot had cost Blueprint 2000 over half a million dollars in additional land acquisition funding. He **suggested that a mechanism was needed to address that important issue, noting that the Blueprint 2000 project at this Capital Circle Northwest intersection was currently in the right-of-way acquisition phase.**

Mayor Marks inquired as to how the staff recommended dealing with this issue, and Ms. Ehrbar stated that she understood there was currently no way of dealing with that issue.

County Commissioner Winchester suggested that the issue could be dealt with by denying the amendment.

Mayor Marks concurred and stated that he had no intention of approving the up zoning of the amendment property if it resulted in the value of the property being increased so that the taxpayers were required to pay more for the right-of-way needed for the Capital Circle Northwest road intersection improvement project.

Amendment 2003-2-M-003

Ms. Ehrbar announced Amendment 2003-2-M-003 as presented, recommended for approval by the staff.

Ms. Andersen reviewed the basis of the staff's recommendation, including the fact that it was located within the Lake Jackson Basin, making the Lake Protection land use category appropriate. She stated that from a planning standpoint, it was inappropriate to have rural land use inside the USA because that was where the Comp Plan concept was to maximize the use of property and urban services. Ms. Andersen also stated that the increase in density associated with this amendment would be nominal and, additionally, the site contained no environmentally sensitive areas.

Ms. Andersen advised an addendum on this amendment had been distributed with the agenda materials, resulting from a request by the Planning Commission that the staff evaluate what could happen if the USA boundary was not moved with this amendment request, and she advised that this property needed to be within the USA boundary if it was changed to Lake Protection. She further advised that the addendum also provided a staff assessment on the concerns expressed by residents of the adjacent neighborhood, noting that those neighborhood residents were also in attendance at this hearing.

County Commissioner Thael pointed out the City and County Commissions had previously eliminated the 1,000-foot USA extension from the centerline as a determinant on locating property

inside or outside of the USA, and he questioned why that was being used in this amendment as well as another amendment that was before the Joint Commission.

Ms. Andersen responded that the text had been removed but the actual map boundaries had not been changed so that the 1,000 feet from the road remained in many locations.

Ms. Hubbard clarified that the matches had been brought to the Commissions but they had declined to make the map change.

County Commissioner Thael stated that the Commissions had understood philosophically the potential for future harm from that policy and requested that the staff bring back a briefing on this issue for a discussion at the next joint meeting of the Commissions on these Comp Plan amendments.

Ms. Andersen advised that the staff analysis included the original map brought to the Commissions, which proposed moving the boundary at this amendment site. She stated that the staff could bring back additional information if that was information was not adequate.

Mr. Gary Yordon, 1306 Tootchin Nene, representing the developer, appeared before the Joint Commission in support of this amendment and recalled that 15,000 notices had been sent out to owners of properties that were bisected by the boundary line. He stated that the amendment property was approximately 90% inside the boundary and 10% out, and he stated that the development of this property under Lake Protection was appropriate, noting that it was across the street from Ox Bottom and would be similar to that development.

Mr. Yordon also reported that the most significant issue to the Planning Commission had been the concern expressed by Reverend William Foutz related how the government would deal with the equity issue related of many minority families not being paid a fair amount for their property in the 1940's and 1950's for the expansion of a gas pipeline in this community, noting that the same issue existed in Bannerman and other places to the northeast. He added that the developer planned to meet with representatives of the adjacent Paramore Estates neighborhood to discuss their concerns as well.

County Commissioner Rackleff expressed the opinion that this amendment property, which adjoined the City limits, would be appropriate for annexation into the City and brief discussion focused on this point.

Mr. Tom O'Steen, 805 North Gadsden Street, representing the developer, appeared before the Joint Commission in support of this amendment and advised that this amendment approval would 1) adjust the USA boundary to conform to the western boundary of the amendment parcel, and 2) change the future land use designation from Rural to Lake Protection, which was appropriate because the property was located within the Lake Jackson Drainage Basin. He stated that the intent was to build residential units

County Commissioner Rackleff inquired if the owner intended to annex into the City, and Mr. O'Steen indicated that he had no information in that regard.

Mr. R. L. (Bob) Scanlon, Chairman of the Leon County Water Resources Committee, appeared before the Joint Commission and advised that with regard to the perspective of whether this effected water resources, the Committee had no objections and recommended approval of this amendment.

Rev. William Foutz, Sr., 6504 North Meridian Road, appeared before the Joint Commission and discussed his concern with a high-pressure gas line being extended through his family's property in the Paramore Estates neighborhood without permission or equitable remuneration while denying him access to that gas service unless he paid \$2,500 and authorized another easement.

County Commissioner Thael requested that the staff provide the rationale for the Planning Commission's recommendation of denial. Ms. Hubbard advised the Planning Commission's position was that this amendment needed to be evaluated from a more comprehensive perspective and that the amendment was premature without looking at the larger context area of the Lake Jackson Drainage Basin in relation to the amendment site. She stated that the Planning Commission also wanted the staff to work with the Paramore Estates neighborhood residents on their issues of concern.

County Commissioner Thael **suggested that the neighborhood and developer work together and reach agreement on their concerns before the Commission met again on these amendments.**

Mayor Marks informed Reverend Foutz of his willingness to review any written agreement between the developer and the neighborhood representatives.

Ms. Hubbard interjected to the Commissions **that the Planning Commission included a specific request in its motion that this amendment not be brought back in this round of amendments because more time was needed to work through the concerns.**

County Commissioner Proctor commented that under Amendment 2003-2-M-001 the Planning staff had not had enough time either the previous year or in the current year to review the surrounding area, as indicated in -001 was needed, therefore, the staff recommended denial. He opined that the staff had made a recommendation for approval on -003, which was in a rural area, and he took that to mean the staff had done the required analysis.

Mayor Marks left the meeting at this point and County Commission Chairman Grippa assumed the Chair.

County Commissioner Proctor also stated for the record that his maternal grandmother was Adelaide Gardner and she owned property in the Paramore Estates neighborhood. He ascertained from Assistant County Attorney Shaw that there was no conflict of interest because he would not incur any benefit from the proposed amendment.

County Commissioner Proctor stated that the applicant had requested that the USA boundary be moved, which was an indication to him that the applicant was postured to seek City services and he expressed severe concern with the City's long-time delay in offering services to the left side of Meridian Road while offering services to major developments on the right side of that road. He requested some clarification of Mr. Yordon's comment that City water/sewer were available for this amendment site.

Mr. Yordon clarified that his indication was that because the utility services were located across the street, City water/sewer was technically available for this amendment site. He stated that Reverend Foutz's point was that for many years the residents in that neighborhood had not been compensated for the gas line extension, yet they were being told that they would have to pay in order to get that service.

County Commissioner Proctor stated that the availability of the USA boundary had not been extended for people who had lived in the Paramore Estates area for years, yet new neighborhoods had been opened and services had been extended to a greater reach inside the Summerbrook and Ox Bottom communities. He **requested that something be done about City services being extended to new communities before extending them to this older neighborhood and about the residents being exposed to the risk of having a high pressure gas line in their front yard, noting that the people on the left side of the street needed to be treated the same.**

Mayor Marks returned to the meeting at 7:45 p.m. and resumed the Chair.

County Commissioner Proctor noted that two schools were shown as being well over capacity, and he **requested an analysis of how the property values of the homes on the left side of the street were affected by the construction of multi-unit homes versus the land use designation remaining unchanged in terms of maintaining the value of those existing homes.**

Mayor Marks indicated that County Commissioner Proctor's comments were well taken and, **on behalf of the City, he directed the staff to provide such analysis.** He ascertained that this amendment property was located in the County and expressed hope that the County would also evaluate these issues, noting that the City and County staff could conduct the analyses jointly.

County Commission Chairman Grippa noted that this amendment would expand the USA. He questioned why there was nothing in the staff's recommendation about waiting for a study as mentioned in Amendment -001.

Ms. Hubbard advised that the expansion of the USA in this case would be very small as it evened the property lines and brought in approximately six (6) more acres, while the remainder of the property was already inside the USA and for that reason was more appropriately designated Lake Protection. She stated that the difference in the two amendments was that this amendment was intended to clean up the property line and no more than 23 units could be added to the maximum number of dwelling units, which was a nominal increase.

Responding to a request by Mayor Marks for additional clarification of the rationale for this amendment, Ms. Hubbard advised that this amendment would have the USA boundary follow the property line instead of the artificial 1,000 feet from the road, **leaving some of the property to the south outside of the USA, and she clarified that the request had not been made for the purpose of bringing that additional property inside the USA.** Mayor Marks suggested taking that up with the neighborhood associations to determine if they would be supportive of being brought inside the USA. Brief discussion continued in this regard and Ms. Hubbard confirmed that the staff would bring this issue back to the City and County workshops.

County Commissioner Winchester emphasized his concern with the inequity of services that had been occurring in the Meridian Road corridor for a number of years and, upon confirming with Ms. Andersen that there was a gas line easement along the front of the amendment site, **requested that some discussion be brought back for the separate County workshop relating to providing the urban services to the residents included in this USA expansion.** He also confirmed with Ms. Andersen that the maximum density allowed under the proposed amendment would be increased from the current density of approximately six (6) units to approximately 23 units on about half the size under Lake Protection and Clustering if it remained in the unincorporated area of the County. Ms. Ehrbar clarified that the City allowed one unit per acre to go on 25% of the site while the County allowed half-acre lots on 40% of the site, so there would be some increase in density if the property was annexed into the City. She stated that the staff would bring back more specific information at the separate County workshop.

County Commissioner Winchester strongly urged that the development of this amendment property in a conservation subdivision design.

County Commissioner Proctor requested regulatory information on the property under Lake Protection. Ms. Ehrbar advised in Lake Protection a septic tank could be used on a two-acre lot, and on a minimum half-acre lot in the County as long as it met the "perk" test and was clustered.

City Commissioners Mustian and Katz left the meeting at 8:00 p.m.

At the request of Mayor Marks, Assistant County Attorney Shaw confirmed there was no problem with the City Commission not having a quorum for the remainder of the meeting because this was only a public hearing and the Commissions would not be voting on any issues. She confirmed for future reference, that a public hearing had to start with a quorum.

Amendment 2003-2-M-004

Ms. Ehrbar Enid announced Amendment 2003-2-M-004 as presented, noting that this amendment would also move the USA boundary.

Ms. Andersen reviewed the staff's recommendation, noting that moving the USA on this amendment would bring in approximately 31 additional acres into the USA. She advised that the staff had recommended denial because the County's Environmental Management Act, as well as the Comp Plan, set up environmental regulations and densities for some of the features contained on the entire amendment site, including native forests and wetlands, allowing a density of one unit per 40 acres. Ms. Andersen advised that the proposed land use change had not bearing on what was allowed on this site because of the other environmental features. She stated that the site was along located along a canopy road and existing Comp Plan policies discouraged increasing densities along canopy roads that would further necessitate road expansion in the future, and the school that would serve this site was over capacity as well.

Mayor Marks ascertained from Ms. Ehrbar that 11 speaker requests had been submitted, all opposing this amendment.

City Commissioner Gillum left the meeting at 8:05 p.m.

Mr. Randy Crowson, 8724 Salamanda Court, appeared before the Commission and spoke against this amendment. He stated that this 56-acre lot was 99% undevelopable.

County Commission Chairman Grippa **requested that the staff communicate to the applicant that the County Commission consensus was to suggest that the applicant withdraw this amendment, as it appeared to have no support from the Commissions.**

Amendment 2003-2-M-005

Ms. Ehrbar announced Amendment 2003-2-M-005 as presented, noting that it was a request on approximately half of an 87-acre parcel in the Woodville community to go from Rural to Woodville Rural Community, and stated that the staff's recommendation of denial was based on over half of the property in Woodville being currently vacant and the fact that the Rural community category was intended to recognize historical development pattern in the area and not necessarily to create an area that would attract regional development or functions of the growth node. She also pointed out the Woodville Highway approaching the USA was currently overcapacity.

Mr. Bob Scanlon, representing the Leon County Water Resources Committee, appeared before the Joint Commission and stated the Committee's support for the staff's recommendation of denial.

Ms. Kathy Archibald, 7100 Roberts Road, did not appear as requested, but indicated her support for the staff's recommendation as well.

Amendment 2003-2-M-006

Ms. Ehrbar announced Amendment 2003-2-M-006 as presented and stated that the applicant intended to develop a single-family, detached residential subdivision.

Ms. Andersen described how this amendment had evolved so that an addendum included a revised table showing the allowable density on the amendment property and different scenarios that could occur. She advised that the Planning Commission had requested that the staff review the entire property under the ownership of the applicant, who currently owned approximately 383 acres already designated Urban Fringe, while the amendment site consisted of 592 acres located to the north and designated Rural. Ms. Andersen stated that the Planning Commission's recommendation of approval was subject to several conditions: that there be a development agreement or notes on the future land use map that limited density on the property to its current allowance, which was 200 units on the entire 975 acres; that there be no commercial development; and at least 50% of the site be placed in conservation easement. She stated that the applicant had a revised plan of development and she explained that the issues raised by staff in the original staff report were based on a scenario that depicted an increase in density; she stated that if the Planning Commission's recommendation was approved, many of those issues would go away because the density would not be increased.

County Commissioner Thaelle ascertained that the Planning Commission's recommendation had been passed with a 4-1 vote.

Ms. Andersen discussed the requirement that the amendment be developed with a conservation subdivision as defined in the County's land development regulations.

Mr. Charles R. Gardner, 1300 Thomaswood Drive, representing the applicant, appeared before the Joint Commission in support of this amendment and, upon distributing copies of the concept plan, discussed the proposed development, indicating it would be density neutral. He presented a video by Mr. Randall Arendt discussing the conservation neighborhood design concept, and stated *for the record* that the applicant agreed to the Planning Commission's conditions of approval.

County Commissioner Proctor left the meeting at 8:23 p.m.

Ms. Kathy Archibald, 7100 Roberts Road, appeared before the Joint Commission and expressed support for this amendment with the stipulations recommended by the Planning Commission. She discussed some neighborhood concerns about the lack of criteria for conservation subdivisions, and suggested that a Comp Plan amendment needed to be prepared addressing conservation subdivisions and where they could occur.

County Commissioner Proctor returned to the meeting at 8:26 p.m.

Ms. Pamela Hall, 4041 Quail Valley Road, appeared before the Joint Commission in support of this amendment because it was consistent with the conservation neighborhood design concept. She opined that there were some public concerns that needed to be considered and brief discussion focused on the lack of criteria for this design concept.

Ms. Charlotte Chutes, 5980 Ansel Fennel Road, appeared before the Joint Commission and stated that she represented 84 homeowners who were concerned with the impacts of a new subdivision in this amendment area, including traffic, septic tank systems, and the precedence that would be set in changing this Rural area to Urban Fringe. She noted that the Baker property in back of this amendment site included 1,500 acres.

Ms. Joy Scott, 6967 Grenville Road, Baker Place, appeared before the Joint Commission in opposition to this amendment and discussed her particular concern with a proposed road running directly beside her home.

Ms. Anderson stated that the developer was considering the possibility of constructing a roundabout.

assurance on future impacts to the conservation subdivision, noting that the infrastructure needed to be funded and traffic controlled.

County Commission Chairman Grippa commented that a number of good concerns had been raised, with traffic being the first issue of concern. He expressed hope that the developer would meet with the neighbors and make sure Pisgah Church Road was protected. He questioned if there were other issues in the Bradfordville Study Area that were of concern, if this conservation subdivision design concept met the standard for development, what it would mean for the future, and if land development regulations needed to be adopted to go with the conservation subdivision design concept.

County Commissioner Winchester suggested that the conservation neighborhood could be approved through PUD mechanisms, and stated his intent to work with an advisory group and sponsor a Comp Plan amendment relative to developing conservation neighborhoods. He stated that Mr. Arendt had talked about a range of density options with the conservation neighborhood and he expressed hope that the City Commission would consider this issue as well.

County Commissioner Rackleff requested that the staff bring back some information on who would pay for paving Pisgah Church Road, the scope of the traffic analysis, the impacts on the schools—currently overenrolled schools and number of new students from the proposed development of 200 new housing units. He pointed out there had been a Comp Plan amendment in the Southern Strategy area to build housing for the past two-three years, and requested that the staff bring back information on whether the County's potential adoption of an Affordable Housing Ordinance for new housing developments would apply to a conservation subdivision, workforce affordable housing.

City Commissioner Gillum left the meeting at 9:13 p.m.

Amendment 2003-2-M-008

Ms. Ehrbar announced Amendment 2003-2-M-008 as presented, recommended by the staff for approval with modifications.

Ms. Hubbard discussed the Local Planning Agency (LPA) recommendation to go further. She stated that the amendment could be withdrawn by the County Commission based on City Commission discussion of other ways to achieve the same objective.

County Commission Chairman Grippa pointed out there was no Joint Stormwater Committee and the County's issue had been the fee. He stated that based on environmental features, i.e. Bull Run, the goal of this amendment was to divide up the County into sectors and develop stormwater standard for each sector based on environmental features.

Mr. Robert L. Scanlon, representing the Leon County Water Resources Committee, appeared before the Joint Commission and stated that the Committee had originally recommended denial because a process had already been started.

County Commission Chairman Grippa requested that the Committee meet again on this issue so that he could attend the meeting to discuss the amendment.

Mr. Scanlon discussed his concern with the amendment only requiring a process to be begun whereas other places in the Comp Plan provided deadlines.

Ms. Pamela Hall, 5051 Quail Valley Road, appeared before the Joint Commission and discussed her concern with the "open end ness" of this amendment, noting that it ignored political boundaries. She stated that there had been an attempt to include Bull Run in the Bradfordville Standards, which were clear – one does not pollute or flood his neighbors.

Amendment 2003-2-M-009

Ms. Ehrbar announced Amendment 2003-2-M-009 as presented, to shrink the size of the Special Development Zone (SDZ) in the Fred George basin.

Mr. Bob Scanlon, representing the Leon County Water Resources Committee, stated that the Committee had no objection to this amendment.

ADJOURNMENT

Mayor Marks inquired if anyone else desired to address the Commission at this time or if there was any new business to discuss and there being none, the meeting was adjourned at 9:22 p.m.

Tony Grippa
Chairman

ATTEST:

Bob Inzer, Clerk of the Circuit Court